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AUG 26 2008	
CLERK U.S. DISTRICT COURT DISTRICT OF ARIZONA	
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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA
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9 United States of America,

10 Plaintiff,

11 vs.

12 Lyle James Havier,

13 Defendant.
14 _____

CR 04-00911-01-PHX-NVW

ORDER

15
16 A detention hearing and a preliminary revocation hearing on the Petition on
17 Supervised Release were held on August 21, 2008.

18 **THE COURT FINDS** that the Defendant has knowingly, intelligently, and
19 voluntarily waived his right to a detention hearing and a preliminary revocation hearing and
20 has consented to the issue of detention being made based upon the allegations in the Petition.

21 **THE COURT FURTHER FINDS** that the Defendant has failed to sustain his burden
22 of proof by clear and convincing evidence pursuant to Rule 32.1(a)(6), FED.R.CRIM.P., that
23 he is not a danger to the community. *United States v. Loya*, 23 F.3d 1529 (9th Cir. 1994).

24 **IT IS ORDERED** that the Defendant shall be detained pending further order of the
25 court.

26 DATED this 26th day of August 2008.

27 
28 Lawrence O. Anderson
United States Magistrate Judge